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असाधारण

EXTRAORDINARY

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PART II — Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 22nd September, 2010/Bhadra 31, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 21st September, 2010, and is hereby published for general information:—

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) ACT, 2010

No. 41 OF 2010

[21st September, 2010.]

An Act further to amend the Code of Criminal Procedure, 1973.

Be it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 2010.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. On and from the date of commencement of section 5 of the Code of Criminal Procedure (Amendment) Act, 2008, in section 41 of the Code of Criminal Procedure, 1973 [as amended by section 5 of the Code of Criminal Procedure (Amendment) Act, 2008], in sub-section (1), in clause (b), the following proviso shall be inserted at the end, namely:—

Amendment
of section 41.

"Provided that a police officer shall, in all cases where the arrest of a person is not required under the provisions of this sub-section, record the reasons in writing for not making the arrest."

Amendment
of section
41A.

3. On and from the date of commencement of section 6 of the Code of Criminal Procedure (Amendment) Act, 2008, in section 41A of the Code of Criminal Procedure, 1973 [as inserted by section 6 of the Code of Criminal Procedure (Amendment) Act, 2008],—

5 of 2009.
2 of 1974.

(a) in sub-section (1), for the words "The police officer may", the words "The police officer shall" shall be substituted;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) Where such person, at any time, fails to comply with the terms of the notice or is unwilling to identify himself, the police officer may, subject to such orders as may have been passed by a competent Court in this behalf, arrest him for the offence mentioned in the notice."

V.K. BHASIN,
Secy. to the Govt. of India.